UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
BOYCE, ANDRE D

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/784,791	VANSTORY ET AL.
		Examiner	Art Unit
		Andre Boyce	3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*15 February 2001*</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-42*</u> is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>*1-42*</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>*24 May 2001*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>*5/24/01, 6/23/03*</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-42 have been examined.

Claim Objections

2.   Claim 17 is objected to because of the following informalities: The claim

depends from itself. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claims 1-41 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Claim 1 recites the limitations "the repair event coordinator" in lines 5-6, "the

service event viewing module" in lines 10-11, and "the service event history" in lines

16-17. There is insufficient antecedent basis for these limitations in the claim.

Claims 5-7, 10-12, 14, 15, 17, 19, 27-29, 32-34, 36, 37, 39, and 41 recite the

limitation "the user". There is insufficient antecedent basis for this limitation in the

claims.

Claim 20 recites the limitation "the service event coordinator" in line 5. There is

insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the customer". There is insufficient antecedent

basis for this limitation in the claim.

Claim 23 recites the limitations "the customer" and "the service event history".

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-3, 9-25, 31, 35, 38, 40, and 42 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Whyel (US 2001/0027481), in view of Pugliese, III et al (US

2001/0044751), in further view of Kirkevold et al (USPN 6,263,322).

As per claim 1, Whyel discloses a network based automotive service event

scheduling and monitoring system (i.e., end user scheduling of appointments with a

service provider, wherein the service provider 350 may include an automotive

service department, ¶ 0049) comprising: at least one customer computer (end user

320, using end user computer 305, ¶ 0048); and at least one service event

coordinator communication with the customer computer (i.e., service provider 350

via service provider computer 340, ¶ 0049-50), the repair event coordinator

comprises: a service arrangement module being configured to enable a customer to

arrange a service event via a communications network (i.e., end user 320 able to

secure an appointment in real time via distribute network, ¶ 0051). Whyel does not disclose a service event-viewing module being configured to allow the customer to receive video transmissions of the service event and check the status of the service event after the commencement of service event via the communications network. Pugliese, III et al disclose a system that provides live video enabled transactions between a merchant (i.e., service provider, ¶ 0057) and customer, including live voice chat and interactive text chat during the experience (¶ 0115), which would allow the customer to check the status when appropriate.

Neither Whyel nor Pugliese, III et al disclose a service history module being configured to obtain the service event history for the customer via the communications network. Kirkevold et al disclose repair orders stored in a customer information database for future retrieval and display of prior work history for the vehicle (column 3, lines 63-67). Whyel and Kirkevold et al are both concerned with efficient service provider repair, and Whyel discloses more detailed information able to be stored with respect to the end user (¶ 0070). In addition, Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the customer receiving video transmissions of the service event and obtaining the service event history for the customer in Whyel, as seen Pugliese, III et al and Kirkevold et al, respectively, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claims 2 and 24, Whyel discloses the service event coordinator further comprises a company overview module (service provider table 500, figure 5).

As per claims 3 and 25, Whyel discloses the company overview module is configured to provide information concerning services of a service provider (service provider type 510, ¶ 0075).

As per claims 9, 11, and 31, Whyel discloses service arrangement module includes a self-diagnosis component (appointment description prompt 720, figure 7), and an arrange service component (appointment table 800, figure 8). Neither Whyel nor Kirkevold et al disclose a technician chat component that enables the user to converse with a specialist via the communications network. Pugliese, III et al disclose a system that provides live video enabled transactions between a merchant (i.e., service provider, ¶ 0057) and customer, including live voice chat and interactive text chat during the experience (¶ 0115). Whyel and Kirkevold et al are both concerned with efficient service provider repair, and Whyel discloses more detailed information able to be stored with respect to the end user (¶ 0070). In addition, Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include technician chat in Whyel, as seen Pugliese, III et al, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claim 10, Whyel discloses the self diagnosis component enables the user to identify for a service provider problems with a vehicle (appointment description prompt 720, figure 7).

As per claim 12, Whyel discloses the arrange service component enables the user to obtain service event (appointment table 800, figure 8).

As per claims 13-15 and 35, neither Whyel nor Kirkevold et al disclose a service event-viewing component that enables the user to view an active service event in a real time video stream via the communications network and a vehicle status component that enables the user to view and approve estimates, determine the process stage of a vehicle and pay for the service event. Pugliese, III et al disclose a system that provides live video enabled transactions between a merchant (i.e., service provider, ¶ 0057) and customer, including live voice chat and interactive text chat during the experience (¶ 0115), which would allow the customer to check the status when appropriate. Pugliese, III et al also discloses the customer able to pay for the services via the network (¶0011). Whyel and Kirkevold et al are both concerned with efficient service provider repair, and Whyel discloses more detailed information able to be stored with respect to the end user (¶ 0070). In addition, Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the service

event and vehicle status components in Whyel, as seen Pugliese, III et al, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claims 16, 17, and 38, Whyel discloses a resource component (resource table 600, figure 6), an add/edit vehicle component (appointment description 720, prompting the user to enter a description of the problem), and an edit personal information component (end user table 400, figure 4). Neither Whyel nor Pugliese, III et al disclose a service history viewing component that enables user retrieve and display a chronological history of all service events for a vehicle. Kirkevold et al disclose repair orders stored in a customer information database for future retrieval and display of prior work history for the vehicle (column 3, lines 63-67). Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer. In addition, Whyel and Kirkevold et al are both concerned with efficient service provider repair, and Whyel discloses more detailed information able to be stored with respect to the end user (¶ 0070), therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the service event history for the customer in Whyel, as seen Kirkevold et al, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claims 18 and 40, Whyel discloses the service event coordinator further comprises a comparison module (service provider table 500 that represents information pertaining to registered service providers, that allows end user 320 to compare providers, ¶ 0074).

As per claim 19, Whyel discloses the comparison module enables the user to

compare services provided a first service provider with the services provided by

second service provider (service provider table 500 that represents information

pertaining to registered service providers, that allows end user 320 to compare

providers, ¶ 0074).

Claims 20-23 are rejected based on the same rationale as claim 1.

Claim 42 is rejected based upon the rejection of claim 1, since it is the method

claim corresponding to the system claim.

7.   Claims 4-8, 26-30, 32-34, 36, 37, 39, and 41 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Whyel (US 2001/0027481), in view of Pugliese, III et al

(US 2001/0044751), in further view of Kirkevold et al (USPN 6,263,322), as applied

to claim 1, in further view of Malin et al (2002/0007289).

As per claims 4-6 and 26-28, Whyel discloses a company information component

(service table 700, figure 7), a location list component (service provider zip code

512, figure 5). Neither Whyel, Pugliese III et al, nor Kirkevold disclose a vision

component providing a user with business goals for a service provider, or a

solution/service component providing solutions for transporting a vehicle to and from

service facility. Malin et al disclose scheduling algorithm adjusted to realize or

emphasize operational goals, including repair order deadlines, return on assets,

labor productivity, cycle time, and on-time delivery (i.e., vision component, ¶ 0052).

In addition, Malin et al disclose pre-production repair tasks, including contacting the

customer to discuss the repair and to arrange delivery of the vehicle (i.e.,

solution/service component, ¶ 0031). Whyel, Malin et al, and Kirkevold et al are

each concerned with efficient service provider repair, and Whyel discloses more

detailed information able to be stored with respect to the end user (¶ 0070) and

service provider (i.e., ¶ 0074). In addition, Whyel and Pugliese, III et al are both

concerned with real-time interaction with service providers, thereby making the

customer/merchant interaction more efficient and flexible for the consumer.

Therefore it would have been obvious to one having ordinary skill in the art at the

time the invention was made to include a vision component in Whyel, as seen in

Malin et al, thus providing additional information to further inform the customer of the

services provided, thus making Whyel more robust and customer oriented.

As per claims 7 and 29, Whyel discloses the company information component

provides the user with pertinent information concerning day-to-day operations of a

service provider (service table 700, figure 7).

As per claims 8 and 30, Whyel discloses the location list component provides the

user with physical locations of service facilities of a service provider (service provider

zip code 512, figure 5).

As per claim 32, Whyel discloses the self diagnosis component enables the user

to identify for a service provider problems with a vehicle (appointment description

prompt 720, figure 7).

As per claim 33, Whyel discloses service arrangement module includes a self-

diagnosis component (appointment description prompt 720, figure 7), and an

arrange service component (appointment table 800, figure 8). Neither Whyel,

Kirkevold et al, nor Malin et al disclose a technician chat component that enables the

user to converse with a specialist via the communications network. Pugliese, III et al

disclose a system that provides live video enabled transactions between a merchant

(i.e., service provider, ¶ 0057) and customer, including live voice chat and interactive

text chat during the experience (¶ 0115). Whyel, Kirkevold et al, and Malin et al are

each concerned with efficient service provider repair. In addition, Whyel and

Pugliese, III et al are both concerned with real-time interaction with service

providers, thereby making the customer/merchant interaction more efficient and

flexible for the consumer, therefore it would have been obvious to one having

ordinary skill in the art at the time the invention was made to include technician chat

in Whyel, as seen Pugliese, III et al, thereby making the scheduling system in Whyel

more robust and customer oriented.

As per claim 34, Whyel discloses the arrange service component enables the

user to obtain service event (appointment table 800, figure 8).

As per claims 36 and 37, neither Whyel, Kirkevold et al, nor Malin et al disclose

enabling the user to view and approve estimates, determine the process stage of a

vehicle and pay for the service event. Pugliese, III et al disclose a system that

provides live video enabled transactions between a merchant (i.e., service provider,

¶ 0057) and customer, including live voice chat and interactive text chat during the

experience (¶ 0115), which would allow the customer to check the status when

appropriate. Pugliese, III et al also discloses the customer able to pay for the

services via the network (¶0011). Whyel, Kirkevold et al, and Malin et al are each concerned with efficient service provider repair, and Whyel discloses more detailed information able to be stored with respect to the end user (¶ 0070). In addition, Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the service event and vehicle status components in Whyel, as seen Pugliese, III et al, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claim 39, neither Whyel, Pugliese, III et al, nor Malin et al disclose a service history viewing component that enables user retrieve and display a chronological history of all service events for a vehicle. Kirkevold et al disclose repair orders stored in a customer information database for future retrieval and display of prior work history for the vehicle (column 3, lines 63-67). Whyel and Pugliese, III et al are both concerned with real-time interaction with service providers, thereby making the customer/merchant interaction more efficient and flexible for the consumer. In addition, Whyel, Kirkevold et al, and Malin et al are each concerned with efficient service provider repair, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the service event history for the customer in Whyel, as seen Kirkevold et al, thereby making the scheduling system in Whyel more robust and customer oriented.

As per claim 41, Whyel discloses the comparison module enables the user to compare services provided a first service provider with the services provided by second service provider (service provider table 500 that represents information pertaining to registered service providers, that allows end user 320 to compare providers, ¶ 0074).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Brookes et al (US 2003/0014295) disclose coordinating arranging services.

-Kolls (USP.N 6389337) disclose an in-vehicle device communicating with internet based data processing resources.

-Costello et al (US 2002/0007225) disclose graphically identifying replacement parts for selected equipment.

-Lowell et al (2002/0073012) disclose allowing a customer to shop on-line for vehicle service repair businesses.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (703) 305-1867. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-

9306.

Information regarding the status of an application may be obtained from the

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adb
March 9, 2005

SUSANNA M. DIAZ
PRIMARY EXAMINER

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